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David Paul Lee S-571106

Brandie Marie Litts and

Jarome Henderson S-2013 9723

Officer Brandon Petersen Demand for Common Law

DPSST 51772 Jurisdiction

Officer Josh Zundel

DPSST 47064

Robert C. Moberg

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I am David Paul Lee of the Lee family. You may refer to me as David or Plaintiff. I reserve all inalienable inherent rights secured by the Constitution of the United States of America, the Bill of Rights and God. Here by special restricted appearance under protest and duress threatened with arrest presented Sui Juris in propria persona. I have appointed myself as my own counsel before this honorable court. I have the right to know the nature and cause of these proceedings. I am a man who is domiciled in the Oregon Republic, on the land and hereby object to the Gold Fringed Admiralty flag. It is not my flag and therefore not the correct jurisdiction.

1. Furthermore, since the Municipal Court of the city of Seaside does not have a prosecuting attorney whose duty it is to prove jurisdiction the cannot do the job.
2. Furthermore, according to FRCP no judge may practice law from the bench who is going to prove the subject matter and personam jurisdictional challenge?
3. Furthermore, on 1-15-14 I challenged subject matter and personam jurisdiction on the record, clearly and audibly. You failed to prove timely.

Latches has incurred. I hereby move to dismiss our honor failure to state a cause of action for which relief may be granted and I would like to collect my costs and fees for having to defend this frivolous case. Persuant to **McNutt vs. General Motors Acceptance Corp 56 S. Ct 502 “** Jurisdiction may never be assumed but must be sustainably proven by Plaintiff claimant.”

1. Furthermore, neither officer Zundel nor officer Petersen would properly identify themselves when I asked to see their I.D. before I was arrested. Their own record of the arrest proves that.
2. Furthermore, officer Petersen went so far as to commit felony perjury, in his report as to say “I showed him my badge and my police I.D. in my wallet.” At no point was I ever shown proper I.D., if he has I would have read it into the record. That alone made my arrest and 12 hour detox unlawful.
3. Furthermore, the window sill that I allegedly damaged was in fact damaged by neglect and decay.
4. Furthermore, I believe the real evidence has been destroyed or discarded which would consist of 1 piece of cedar 2 x 4 approximately 10 inches long. Since 36 inches is missing in the police photos I need to ask the real complaining party where the rest of the window ledge.
5. Furthermore, the extenuating circumstances made known to me by Jarome Henderson prior to my arrest will show that the manager of Twisted Fish was in fact angry at Henderson for refusing to have sexual relations with whom I believe is the manager either Joe Ybarra or Steven Lee Keszler. The real crime here since both the complaintant and witness mentioned here knew the window ledge was previously damaged by neglect and decay filed a false police report in an act of revenge.
6. Furthermore, the Municipal Court if the city of Seaside needs to show me David Lee the law as it is written and that it is in fact a law with its accompanying “Enacting Clause” and that in fact is an arrestable offense.
7. Furthermore, I need to see the order for my detention and detox signed by an Article III Judge in good standing with a valid oath of office, licensed to practice law (not a bar card) pursuant to the Oregon Constitution.
8. Furthermore, neither officer Zundel nor officer Petersen’s official statements are signed “under penalty of perjury” and if perjury cannot reach the officer there is no complaint. (Maxim of Law)
9. Furthermore, after officer Zundel labeled me (David Lee) a “Constitutionalist” both officers went to war against my rights and the Constitution of the United States. I now ask this honorable court by what authority do they do this?
10. Furthermore, since the Municipal Court of the city of Seaside has no prosecuting attorney I can preclude that the acting Judge Robert C. Moberg planned to prosecute and judge in direct conflict of the separation of powers section of the Constitution of the United States.
11. Furthermore, officer Zundel referred to David Lee as “Subject” in his unsworn statement. I can presume he is referring to the 14th amendment “citizen subject” and since the 14th amendment was never lawfully ratified (10 states were under duress and forced to sign.)
12. Furthermore, since fraud vitiates everything it touches I have no contact or policy for the Municipal Police Department of the city of Seaside to enforce nor do I receive any benefit from the United States Incorporated. I do not consent to its Quasi-Jurisdiction.
13. Furthermore, I (David Lee) did not receive proper Summons Persuant to the Federal Rules of Civil and Criminal Procedure.
14. Furthermore, since officer Zundel did in fact check the box “license class” on the Oregon Uniform Citation and Complaint form #S571106 with a class “C” fraudulently in an attempt to gain jurisdiction. I hold no license from the State of Oregon and owe no duty to obtain one due to constructive fraud I am now in fact a disenfranchised Common Law Free Man.
15. Furthermore, since I own my Inalienable Inherent Rights held in allodium, which includes the right to life, liberty, and the pursuit of happiness do submit a true bill for the direct violations of those rights by the city of Seaside Police Department and the Municipal Court of the City of Seaside.
16. Furthermore, the Oregon Uniform Citation and Complaint S571106 is in fact a Security Instrument Bill of Attainder strictly prohibited by the Constitution of the United States. This one is written in my persons name.

I David Paul of the Lee Clan do Swear/Affirm that the above Counterclaim and Affidavit to be factual and true to the best of my ability.

Signature\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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